

RANDALL S. LUSKEY (SBN: 240915)  
rluskey@paulweiss.com

**PAUL, WEISS, RIFKIND, WHARTON  
& GARRISON LLP**

535 Mission Street, 24th Floor  
San Francisco, CA 94105  
Telephone: (628) 432-5100  
Facsimile: (628) 232-3101

ROBERT ATKINS (*Pro Hac Vice* admitted)  
ratkins@paulweiss.com

JACQUELINE P. RUBIN (*Pro Hac Vice* admitted)  
jrubin@paulweiss.com

CAITLIN E. GRUSAUSKAS (*Pro Hac Vice* admitted)  
cgrusauskas@paulweiss.com

ANDREA M. KELLER (*Pro Hac Vice* admitted)  
akeller@paulweiss.com

**PAUL, WEISS, RIFKIND, WHARTON  
& GARRISON LLP**

1285 Avenue of the Americas  
New York, NY 10019  
Telephone: (212) 373-3000  
Facsimile: (212) 757-3990

*Attorneys for Defendants*  
UBER TECHNOLOGIES, INC.,  
RASIER, LLC, and RASIER-CA, LLC

*[Additional Counsel Listed on Following Page]*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF KYLE SMITH  
IN SUPPORT OF DEFENDANTS' PORTION  
OF THE JOINT LETTER REGARDING  
PLAINTIFFS' FACT SHEET OBLIGATIONS**

This Document Relates to:

All Actions

Judge: Hon. Lisa J. Cisneros  
Courtroom: G – 15th Floor

1 KYLE N. SMITH (*Pro Hac Vice* admitted)  
ksmith@paulweiss.com  
2 JESSICA E. PHILLIPS (*Pro Hac Vice* admitted)  
jphillips@paulweiss.com  
3 **PAUL, WEISS, RIFKIND, WHARTON**  
**& GARRISON LLP**  
4 2001 K Street, NW  
Washington DC, 20006  
5 Telephone: (202) 223-7300  
Facsimile: (202) 223-7420

6 *Attorneys for Defendants*  
7 UBER TECHNOLOGIES, INC.,  
RASIER, LLC, and RASIER-CA, LLC  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DECLARATION OF KYLE SMITH**

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration in support of Defendants Uber Technologies, Inc.’s, Rasier, LLC’s, and Rasier-CA, LLC’s (collectively, “Uber’s”) portion of the joint letter brief regarding Plaintiffs’ obligations when submitting fact sheets pursuant to Pretrial Order No. 10.

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Uber in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188 (the “JCCP”). I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York Court of Appeals, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. Attached to this declaration as **Exhibit A** is a true and correct copy of a September 16, 2024 letter from Plaintiffs’ Leadership regarding “remaining global PFS issues.”

4. Attached to this declaration as **Exhibit B** is a true and correct copy of an August 22, 2024 letter from Plaintiffs’ Leadership identifying five “global PFS issues.”

5. Attached to this declaration as **Exhibit C** is a true and correct copy of the template Plaintiff Fact Sheet (“PFS”) used in the JCCP.

6. Pretrial Order No. 10, ECF 348, concerns Plaintiffs’ PFS obligations. The parties have engaged in a series of meet and confers regarding Plaintiffs’ obligations when submitting fact sheets. Following these meet and confers, the parties were unable to resolve the three disputed issues set out in the joint letter.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 28, 2024, in Arlington, Virginia.

/s/ Kyle Smith

Kyle Smith